

Application No.: 09/944,103

Docket No.: 21994-00028-US

REMARKS

The Office Action and prior art relied upon have been carefully considered.

With respect to Priority mentioned in paragraph 1 of the Office Action, the priority application was filed in Japan on September 1, 2000, so that the priority claim deadline was September 1, 2001. However, in the U.S. September 1, 2001 was a Saturday and the following Monday, September 3, 2001, was a national holiday-- Labor day. Therefore, the present invention was filed on the next business day for the PTO -- September 4, 2001. Accordingly, September 4, 2001 is the correct date for preserving applicant's priority claim.

Claims 11 and 12 were rejected under 35 U.S.C. § 102(b) as fully met by Komiyama (US 5,121,275). In an effort to expedite the prosecution claim 11 has been amended to more clearly define the patentable aspects of the invention as compared with the cited reference.

As shown in Fig. 13(b), the present invention includes a protrusion 21Ba formed on an outside 21B1 of an upper cassette half 21 and above a hole 28b for a light path (see also page 17, lines 7-14).

Further, in the present invention surfaces 10C1 and 10C2, out of a plurality of surfaces constituting the protrusion 21Ba, are roughened and these surfaces face toward lower cassette half 22 and are perpendicular to the outside 21B1 (see page 17, lines 10-14).

On the other hand, in the case of Komiyama (U.S. Patent No. 5,121,275), the prisms 117 are formed on the upper shell 111 (column 4, lines 25-26). As is apparent from FIG. 3, the prisms 117 are formed inside the upper shell 111--not on the outer side of the upper shell 111. Consequently, the prisms 117 are quite different from the protrusion 21Ba of the present invention.

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Further, roughening the surfaces 10C1 and 10C2 of the protrusion 21Ba according to the present invention is completely different from the prisms 117 even if the surfaces of the prisms 117 were to be roughened.

Accordingly, Claims 11 and 12 are not fully met by Korniyama and should be allowed.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 22-0185, under Order No. 21994-00028-US from which the undersigned is authorized to draw.

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Respectfully submitted,

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